

REMARKS

Drawings

A set of formal drawings is submitted herewith under a separate transmittal cover to correct the informalities indicated in the Notice of Draftsperson's Patent Drawing Review.

Status of the claims

Claims 15, 17-21, and 29-33 were pending. Claims 15, 17, 18, 20, 21, and 29-32 were rejected under 35 U.S.C. §102. Claims 19 and 33 are allowed.

By virtue of this amendment, claims 17 and 33 are cancelled and claims 15, 18, 19, 20, 29 and 32 are amended. Entry of the above amendments and reconsideration of the claims, as amended, are respectfully requested. Upon entry of these amendments, claims 15, 18-21, 29-32 will be pending. For the Examiner's convenience, an appendix of the pending claims, as amended, is attached herewith.

The cancellation of the claims is not intended as a dedication to the public, of the subject matter thereof. Applicants reserve the right to pursue the subject matter of the cancelled claims in a continuation application. The claims have been amended in an effort to present them in condition for allowance or in better form for appeal. Specifically, Applicants have amended allowed claim 19 to convert it to an independent claim incorporating all the limitations of claim 15 from which claim 19 depends. Claim 15 has been amended to claim only the anti-PSCA antibodies produced by the specific ATCC deposited hybridomas recited in allowed claim 19 and disclosed in the specification on page 2 at lines 28-30. Claims 18, 20, 29 and 32 have been amended merely to correct the dependency upon the cancellation of other claims, or to add dependency to allowed claim 19. The composition of allowed claim 33 is now covered by amended claim 29.

Claims 15, 17-18, 20-21 and 29-32 were rejected under 35 U.S.C. §102(e) over Reiter et al. (WO 98/40403). Applicants submit that the amendment to independent claim 15 overcomes this rejection. Reiter et al. do not provide anti-PSCA antibodies produced by the ATCC deposited hybridomas recited in independent claim 15. It is respectfully requested that the sole rejection under 35 U.S.C. §102(e) be withdrawn.

In view of the above amendments and remarks, Applicants believe the pending claims are allowable since the presently amended claims depend from allowed claims and recite further limitations; the amended claims do not require further searching.

If a telephone interview would be of assistance in advancing prosecution of this application, the Examiner is invited to telephone the undersigned at the number provided below.

In the unlikely event that this transmittal letter is separated from this document and the U.S. Patent Office determines that an extension and/or other relief is required, Applicants petition for any required relief including extensions of time and authorize the Director to charge the cost of such petitions and/or other fees due in connection with the filing of this document to our Deposit Account No. 07-0630.

Respectfully submitted,

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PATENT TRADEMARK OFFICE

Version With Markings To Show Changes Made**In the claims:**

Claims 17 and 33 are canceled.

Claims 15, 18, 19, 20, 29 and 32 have been amended as follows:

15. (Twice Amended) An anti-PSCA monoclonal antibody that inhibits the growth of PSCA-expressing cancer cells in vivo, wherein the antibody internalizes upon binding to PSCA on the cancer cell, the antibody being produced by a hybridoma selected from the group of hybridomas having ATCC accession number PTA-717, PTA-718, PTA-719, PTA-720, PTA-880, or PTA-2265.

18 (Amended) The antibody of claim [17] 19 which is produced in bacteria.

19. (Amended) [The antibody of claim 15, which] An anti-PSCA monoclonal antibody that inhibits the growth of PSCA-expressing cancer cells in vivo, wherein the antibody internalizes upon binding to PSCA on the cancer cell, and wherein the antibody is a humanized form of an anti-PSCA antibody produced by a hybridoma selected from the group of hybridomas having ATCC accession number PTA-717, PTA-718, PTA-719, PTA-720, PTA-880, or PTA-2265.

20. (Amended) The antibody of claim 15 or claim 19, wherein the cancer cells are from a cancer selected from the group consisting of prostate cancer, bladder cancer and lung cancer.

29. (Amended) A composition comprising the antibody of claim 15 or claim 19, and a carrier.

32. (Amended) The composition of claim 29 [31], wherein the [antibody is a human or humanized antibody and the] carrier is a pharmaceutical carrier.

APPENDIX OF PENDING CLAIMS AS AMENDED ON FEBRUARY 14, 2003

15. (Twice Amended) An anti-PSCA monoclonal antibody that inhibits the growth of PSCA-expressing cancer cells in vivo, wherein the antibody internalizes upon binding to PSCA on the cancer cell, the antibody being produced by a hybridoma selected from the group of hybridomas having ATCC accession number PTA-717, PTA-718, PTA-719, PTA-720, PTA-880, or PTA-2265.

18 (Amended) The antibody of claim 19 which is produced in bacteria.

19. (Amended) An anti-PSCA monoclonal antibody that inhibits the growth of PSCA-expressing cancer cells in vivo, wherein the antibody internalizes upon binding to PSCA on the cancer cell, and wherein the antibody is a humanized form of an anti-PSCA antibody produced by a hybridoma selected from the group of hybridomas having ATCC accession number PTA-717, PTA-718, PTA-719, PTA-720, PTA-880, or PTA-2265.

20. (Amended) The antibody of claim 15 or claim 19, wherein the cancer cells are from a cancer selected from the group consisting of prostate cancer, bladder cancer and lung cancer.

21. The antibody of claim 20, wherein the cancer is prostate cancer.

29. (Amended) A composition comprising the antibody of claim 15 or claim 19, and a carrier.

30. The composition of claim 29, wherein the antibody is conjugated to a cytotoxic agent.

31. The composition of claim 30, wherein the cytotoxic agent is a maytansinoid.

32. (Amended) The composition of claim 29, wherein the carrier is a pharmaceutical carrier.